



**THE CITY OF NEW YORK  
LAW DEPARTMENT**

ZACHARY W. CARTER  
*Corporation Counsel*

100 CHURCH STREET  
NEW YORK, NY 10007

DANIEL M. BRAUN  
Special Assistant Corporation Counsel  
Phone: (212) 356-3548  
Fax: (212) 788-9776  
dbraun@law.nyc.gov

July 11, 2014

**VIA ECF**

Honorable Valerie E. Caproni  
United States District Judge  
Southern District of New York  
40 Foley Square  
New York, New York 10007

**Re: Elimeen Carter v. NYC et al., 14 CV 4236 (VEC)**

Your Honor:

I am a Special Assistant Corporation Counsel in the office of Zachary W. Carter, Corporation Counsel of the City of New York, representing defendants City of New York and New York City Health & Hospital Corporation in the above-referenced matter. I write to respectfully request an adjournment of the initial conference currently set for July 18, 2014 until a date following defendants' September 2, 2014 deadline to answer or otherwise respond to plaintiff's Complaint, and respectfully propose that the conference be adjourned until September 12, 2014. This is defendants' first request. Plaintiff does not consent, indicating to the undersigned concern over discovery and case management issues, particularly with respect to a purported video of the alleged incidents. As stated in the undersigned's letter to Your Honor dated July 2, 2014, obtaining such a video is equally within the interests of all parties, and the undersigned has sent out preservation holds.

At present, plaintiff is in the process of executing and returning to defendants a consent and authorization for the release of any records of medical treatment as well as for sealed arrest and criminal prosecution records. Additionally, per the parties' discussions, the undersigned is in the process of forwarding to plaintiff a stipulation and protective order regarding the protection of confidential and proprietary information.

At this early stage, without defendants having releases or meaningful discovery to exchange via initial disclosures, as well as inadequate time to determine representation of the individually named defendant (assuming that said defendant will be properly served), it would, defendants respectfully submit, be in the interests of judicial economy to adjourn the initial conference until a date after defendants have had the opportunity to answer or otherwise respond to the complaint.

Based on the foregoing, we respectfully request an adjournment of the initial conference currently set for July 18, 2014 until September 12, 2014.

Thank you for your time and consideration herein.

Respectfully submitted,

/s/

Daniel M. Braun  
Special Assistant Corporation Counsel

CC: Nirav S. Shah, Esq. (BY ECF)